



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 871 OF 2023

NAVID NAUSHAD KHAN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Afroz Abdul Kalam Momin a/w Nikhat Abrar Momin, for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

Ms. Priyanka H. Chavan, for Respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 20, 2023

P.C. :

1. Leave to amend so as to enable learned counsel to remove page nos. 105 to 197. Necessary amendments to be carried out in the copies of the other side. Amendment to be carried out by 25/10/2023.

2. Learned counsel for the applicant, on instructions, seeks leave to withdraw the present application.

3. The bail application is allowed to be withdrawn with liberty to file a fresh application for bail after 6 months.

4. Considering that the applicant is in custody since 20/03/2022 and in the facts and circumstances of the present case, request is

made to the trial Court to record the evidence of the child witness expeditiously in terms of the mandate of section 35(1) of the Protection of Children from Sexual Offences Act, 2012.

5. Liberty to apply for bail afresh after the evidence of the child witness is recorded or after 6 months whichever is earlier.

(M. S. KARNIK, J.)